

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re:

Douglas J Filardo,

Case No. 21-71691-reg
Chapter 13

Debtor.

OBJECTION TO CONFIRMATION

Ford Motor Credit Company LLC as agent for Cab East LLC, by its counsel, SCHILLER, KNAPP, LEFKOWITZ & HERTZEL, LLP, as and for an Objection to Confirmation of the Debtor's Chapter 13 Plan, states the following grounds therefor:

1. On September 27, 2021, the debtor, above-named, filed a voluntary petition in bankruptcy under Title 11, Chapter 13, U.S.C., United States Bankruptcy Court for the Eastern District of New York.
2. The Court has jurisdiction to entertain this objection under 28 U.S.C., Section 157.
3. Ford Motor Credit Company LLC as agent for Cab East LLC (hereinafter "FMCC") is the owner of one (1) 2020 Ford Ranger (V.I.N. 1FTER4FH9LLA70969) leased by and, upon information and belief, in the possession and control of the debtor. Copies of the Motor Vehicle Lease Agreement and Certificate of Title are annexed hereto as Exhibit "A" and made a part hereof.
4. Debtor's Plan fails to include the correct monthly lease payment. Debtor proposes to pay \$455.00 per month. The Lease Agreement requires monthly payments of \$482.90 each. FMCC seeks a correction of the payment amount proposed by Debtor.
5. No prior application for the relief requested herein has been made.

WHEREFORE, Ford Motor Credit Company LLC as agent for Cab East LLC respectfully requests that the Court deny confirmation of the Debtor's Chapter 13 Plan for the reasons hereinabove set forth unless modified to reflect the proper treatment of its claim as detailed above and for such other and further relief as to the Court may seem just and proper.

DATED: October 25, 2021

/s/ Martin A. Mooney

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